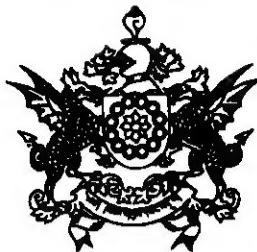


SIKKIM
GOVERNMENT **GAZETTE**



**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

Gangtok

Friday 9th October, 2009

No. 391

**GOVERNMENT OF SIKKIM
HOME DEPARTMENT
GANGTOK**

No.120/HOME/2009

Dated:19.09.2009

NOTIFICATION

WHEREAS, the State Government has deemed it expedient to establish an autonomous and independent Research and Development centre by the name the **HIGH ALTITUDE RESEARCH CENTRE FOR NATURAL PRODUCTS** under the aegis of Department of Forests, Environment and Wildlife Management, Government of Sikkim, Forest Secretariat at Deorali, Gangtok for quality standardization of Cordyceps and High Altitude Medicinal Plants;

AND WHEREAS, the High Altitude Research Centre for Natural Products shall receive its funds from the State Government in the form of an annual grant administered by the Department of Forest, Environment and Wildlife Management;

AND WHEREAS, the High Altitude Research Centre for Natural Products shall work closely with the Department of Forests, Environment and Wildlife Management, Government of Sikkim, who shall provide secretarial services as well as essential support to the High Altitude Research Centre for Natural Products' broader activities;

AND WHEREAS, the objects of the **HIGH ALTITUDE RESEARCH CENTRE FOR NATURAL PRODUCTS** shall be as under, namely:-

- (i) to conduct the research activities for the sustainable development of state;
- (ii) to provide technical assistance to the inventor in patenting their inventions and supply related documents;
- (iii) to analyze the patent information on regular basis;
- (iv) to create awareness about Intellectual Property Rights, especially the patents, and enabling research and Development institutions, University, Industry Government Departments, Non-governmental organizations and individuals through workshops, seminars, conferences etc;

- (v) to undertake, aid, promote and co-ordinate forestry education and applications thereof;
- (vi) **to develop and maintain state centre for forestry, agri-biodiversity and allied sciences;**
- (vii) to develop forestry, extension programmes and propagate the same through mass media, audio-visual aids and extension machinery;
- (viii) to undertake the PhD programme and forestry education programme for the state;**
- (ix) to generate, preserve, disseminate and advance knowledge, technologies and solutions for addressing issues related to forests and promote linkages arising out of interactions between people , forests and environment on a sustained basis through research, education and extension;
- (x) to publish the scientific finding of state;
- (xi) formulate the collaborative work with scientists of other department, University and other institutions for the development of state;
- (xii) to find out the means of viability of medicinal plant for the commercial use;
- (xiii) database on Himalayan plant based Drugs;
- (xiv) digital documentation of medicinal plants;
- (xv) to establish the bioactivities of natural chemical compounds;
- (xvi) Identification of natural products available in natural resource of Sikkim;**
- (xvii) scaling up the production of active constituent of plant using biotechnological application;
- (xviii) to raise general awareness about the bioactive natural products and conservation.;
- (xix) to diversify the natural resources for the economical sustainable activities complying with the activities of conservation too;
- (xx) to generate the alternative source of income for the state;**
- (xxi) development of Center to cater the needs for the researchers, students related to biotechnology and bioinformatics with due respect to the medicinal plant;
- (xxii) to provide the various training programme and arranged guest lectures;
- (xxiii) to advice on policies and measures relating to the researches and resources utilization;
- (xxiv) to co-ordinate for, namely:-
 - (a) medicinal plant produce,
 - (b) contract farming and cluster producer,
 - (c) business, market and market yard,
 - (d) processing and processor,
 - (e) capacity building,
 - (f) registration of Organic Certification,
 - (g) value addition,
 - (h) buyer and seller meet.

NOW, THEREFORE, to oversee the functioning of the High Altitude Research Centre for natural products, the State Government is hereby pleased to constitute the Executive Council consisting of the following members, namely:-

(1)	Honourable Minister of Forest, Environment and Wildlife Management	Chairman
(2)	PCCF cum Secretary, Forests, Environment and Wildlife Management	Vice- Chairman
(3)	Shri. R.S Basnet, Retd I.A.S Presently Principal Secretary , CMO	Member
(4)	Chief Wildlife Warden	Member
(5)	Secretary-in-charge, Development Planning, Economic Reforms and North Eastern Council Affairs Department	Member
(6)	Secretary-in-charge, Finance, Revenue and Expenditure Department	Member
(7)	Secretary-in-charge, Science and Technology Department	Member
(8)	Dr A.B Karki, presently Sub-Divisional Officer, Gangtok	Member
(9)	Dr Durga Kumar Pradhan PhD, D.Sc Principal Scientist, Gangtok	Member
(10)	Director of Forest, (Research Extension and Education)	Member Secretary

1. Powers and functions of the High Altitude Research Centre for natural products (hereinafter referred to as the Centre)

(a) The Centre shall have the following powers and functions, namely: —

- (i) to make provisions for research and for the advancement and dissemination of knowledge;
- (ii) to organize and to undertake studies, training and extension services;
- (iii) to appoint persons working in any other organization as scientist of the centre for a specified period;
- (iv) to co-operate or collaborate or associate with Institution of higher learning in such manner and for such purposes as it may determine;
- (v) to establish, with the prior approval of the State Government, such Centres and specialized laboratories or other units for research and instruction as are, necessary for the furtherance of its objects;
- (vi) to make provision for research and advisory services and for that purpose to enter into such arrangements with other institutions, industrial or other organizations, as may be deemed necessary by the Centre;
- (vii) to organize and conduct courses, workshops, seminars and other programmes for stakeholders;
- (viii) to appoint on contract or otherwise Consultants, Scholars and such other persons who may contribute to the advancement of the objects of the Centre;
- (ix) to demand and receive payment of fees and other charges;
- (x) to lay down conditions of service of all categories of employees, including their code of conduct;
- (xi) to regulate and enforce discipline among the employees , scholars, and to take such disciplinary measures in this regard as may be deemed necessary by the Centre;
- (xii) to receive benefactions, donations and gifts and to acquire, hold and manage, and to dispose of, with the previous approval of the State Government, any property, movable or immovable, including trust and endowment properties for the purposes of the Centre;
- (xiii) to certify the medicinal plant produce as an organic product;
- (xiv) to certify the local medicinal practitioner as a rural scientist of State;
- (xv) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of its objects.

(b) Conduct of business of the Centre

- (i) The Executive Council of the Centre shall meet for the transaction of its business at least once in every six months at such a place and at such times as the Chairman may determine.
- (ii) All proceedings of the Executive Council shall be authenticated by the signature of the Chairman, Member-Secretary , Principal Scientist or such other officer of the Centre as may be authorized in this behalf by regulation.
- (iii) The Centre shall conduct the business in a manner prescribed under the rules or the regulation.

(c) Jurisdiction

The jurisdiction of the Centre shall extend to the whole of the State of Sikkim.

2. Powers and functions of the Executive Council

(1) The Chairman

- (i) The Chairman shall, by virtue of his office, be the head of the Centre.
- (ii) The Chairman shall exercise such other powers and perform such other duties as may be prescribed by the rules.

- (iii) The Chairman may, from time to time, appoint one or more persons to review the work and progress of the Centre, and to submit a report thereon; and upon receipt of that report, the Chairman may, after obtaining the views of the Executive Council thereon through the Principal Scientist, take such action and issue such directions as he considers necessary in respect of any of the matters dealt with in the report and the Centre shall be bound to comply with such directions.
- (iv) The Chairman shall have the right to cause an inspection to be made by such person or persons as he may direct, of the Centre, its buildings, libraries, laboratories and equipment, and of any Institution maintained by the Centre or admitted to its privileges.
- (v) Where any inspection or inquiry has been caused to be made by the Chairman, the Centre or the management shall be entitled to appoint a representative, who shall have the right to be present and be heard at such inspection or inquiry.
- (vi) The Chairman shall be the principal executive and shall exercise general supervision and control over the affairs of the Centre and give effect to the decisions of all the authorities of the Centre.
- (vii) The Chairman may appoint other employees as may be deemed necessary for the affairs of the Centre on the recommendation of the Executive Council.
- (viii) The Chairman shall have the power to convene or cause to be convened the meetings of the Executive Council.
- (ix) The Chairman shall observe the rules and regulations and he shall have all the powers necessary to ensure such observance.

(2) Vice Chairman

(a) Powers and duties of the Vice-Chairman

- (i.) The Vice- Chairman shall, by virtue of his office, be the head of the Centre during the absence of Chairman.
- (ii.) the Vice-Chairman shall monitor and evaluate the centre activities as he thinks fit for the development.
- (iii.) The Vice - Chairman shall preside over all the meetings during the absence of the Chairman and shall exercise general supervision and control over the affairs of the Centre and give effect to the decisions of all the authorities of the Centre .
- (iv.) The Vice- Chairman shall have the power to convene or cause to be convened the meetings of the Executive Council as per the direction of the Chairman.
- (v.) The Vice-Chairman shall observe the rules, the Regulations and he shall have all the powers necessary to ensure such observance and may suggest the Chairman as may be deemed necessary.

(b) The Vice-Chairman shall exercise such other powers and perform such other duties as may be prescribed by the rules.

(3) Member Secretary

(a) Powers and duties of the Member Secretary

- I) The Member Secretary shall observe the rules and the regulations and he shall have all the powers necessary to ensure such observance and may suggest the Chairman as may be deemed necessary.
 - II) The Member Secretary shall communicate to the meeting about the Scientific developmental activities.
 - III) The Member Secretary shall directly be the In- charge of the day to day activities of the Centre.
- (b) The Member Secretary shall exercise such other powers and perform such other duties as may be prescribed by the rules.

(4) Principal Scientist

- (a) (i) The Principal Scientist of the Executive Council shall perform all the scientific activities.
(ii) The Principal Scientist shall exercise such other powers and perform such other duties as may be prescribed by the rules.

(b) Qualification required for appointment of Principal Scientist

The Principal Scientist :-

- (i) should be PhD in Natural products;
- (ii) should be honoured with D.Sc .
- (iii) should have knowledge of isolation of natural products, chemotaxonomy, growth physiology and spectroscopy;
- (iv) should have minimum of eight years experience in the field of medicinal plants and natural products;
- (v) should have good knowledge of the institutional framework for policies, projects, and various stakeholders of natural resources management and rural economy development;
- (vi) should have minimum of eight years experience in Database Software Development, Design and Planning, Computer hardware, Multimedia for Media Strategy, C++ Language, Visual Basic and other related language ;
- (vii) should have experience in conference/ Workshop organization and facilitation ;
- (viii) should have excellent communication and interpersonal skills to produce well organized and analyzed reports.

(c) Terms and Conditions of appointment of the Principal Scientist

- (i) The Principal Scientist shall be a whole-time salaried officer of the Centre.
- (ii) The Principal Scientist shall be paid a monthly salary and allowances, as may be fixed by the State Government from time to time.
- (iii) The Principal Scientist shall be entitled to traveling allowance as admissible to Class I officer of State Government.
- (iv) The Principal Scientist shall be entitled to earned leave on full pay of thirty days in a calendar year:
- (v) The Principal Scientist shall also be entitled to half-pay leave of twenty days in respect of each completed year of service. The half-pay leave may also be availed of as commuted leave on full pay on medical ground on production of medical certificate:

Provided that when such commuted leave is availed of, twice the amount of half- pay leave shall be debited against half-pay leave due.

- (vi) If the office of the Principal Scientist becomes vacant due to death, resignation or otherwise, or if he is unable to perform his duties due to ill-health or any other cause, the Assistant Scientist shall perform the duties of the Principal Scientist until the regular incumbent is appointed.
- (vii) The Principal Scientist shall be entitled to be present and address any meeting of any authority or other body of the Centre.

(d) Powers and duties of Principal Scientist

- (i) The Principal Scientist shall have all the powers necessary for the proper maintenance of discipline in the Centre and he may delegate such powers to such person or persons as he deems fit and proper.

- (ii) The Principal Scientist may, if he is of the opinion that immediate action is necessary on any matter, exercise such powers and conferred on any authority of the Centre and shall report to such authority at its next meeting the action taken by him on such matter:
Provided that if the authority concerned is of the opinion that such action ought not to have been taken, it may refer the matter to the Chairman whose decision thereon shall be final.
- (iii) The Principal Scientist shall carry the research and development activities and other activities as per the objects of Centre.

(5) Members of the Executive Council -Power and Duties

The members of the Executive Council shall-

- (i) contribute the scientific inputs in the Executive Council meeting and in the action plan of Centre.
- (ii) The term of office of members shall be for three years, at the expiry of which period the organization or Government may nominate the same person or some other person in their places. In the case of any vacancy arising earlier than the stipulated period of three years the organization or the Government may nominate any other person for the unexpired portion of the term. The term of office of Chairman shall be three years.

3. Appointment, power and duties of other employers of the Centre.

The Chairman on the recommendation of the Executive Council may appoint the following other employees for the affairs of the Centre.

(1) (a) Assistant Scientist

The Assistant Scientist may be appointed by the Chairman on the recommendation of the Executive Council.

(b) Qualification required for appointment of Assistant Scientist

The Assistant Scientist :-

- (ii) should be M.Sc;
- (iii) should have minimum of Five years consulting experience in the area of biodiversity conservation and photochemistry in the Himalayan region;
- (iv) should have good knowledge of biodiversity conservation and photochemistry practices, projects and activities in Sikkim;
- (v) should have experience in planning, execution and evaluation of biodiversity conservation projects,
- (vi) should have good command over the Computer hardware and software.
- (vii) should have experience in Scientific publication.

- (c) The terms and conditions of appointment of the Assistant Scientist shall be as may be prescribed by rules.

(d) Duties and responsibilities of the Assistant Scientist

The Assistant Scientist shall :-

- (i) assist the Principal Scientist for the scientific activities and research works.
- (ii) keep the minutes of all the meetings of the Executive Council and of any Committees appointed by those authorities;
- (iii) conduct the official correspondence of the Executive Council and of any Committees;
- (iv) shall perform the duties of the Principal Scientist in his absence due to ill health, death, resignation or otherwise till the regular incumbent is appointed.

(2) (a) Laboratory Assistant

The Laboratory Assistant shall be appointed by the Chairman on the recommendation of the Executive Council.

(b) Qualification required for appointment of Laboratory Assistant

The Laboratory Assistant should have,-

- (i) good command of Computer to handle the scientific equipments;
- (ii) ability to collect, analyze, quantitative and qualitative data ;
- (iii) experience in conducting surveys of forest products;
- (iv) experience in the Herbal Medicinal Practice ;
- (v) good oral communication and skill in local language.

(c) Duties and responsibilities of the Laboratory Assistant

The Laboratory Assistant shall:-

- (i) assist the Principal Scientist or Assistant Scientist or officers for the scientific activities and research works;
- (ii) conduct the laboratory work for the scientific evaluation.

(3) (a) Field Assistant/ Data Operator

The Field Assistant/ Data Operator shall be appointed by the Chairman on the recommendation of the Executive Council.

(b) Qualification required for appointment of Field Assistant/ Data Operator

The Field Assistant / Data Operator should have:-

- (i) good commands of Multimedia including videography;
- (ii) ability to collect and analyze quantitative data through surveys and interviews;
- (iii) experience in conducting market surveys of forest products;
- (iv) experience in the herbal medicinal practice ;
- (v) good oral communication skill in local language

(c) Duties and responsibilities of the Field Assistant/ Data Operator

The Field Assistant / Data Operator shall :-

- (i) assist the Principal Scientist or Assistant Scientist or other officers for the scientific activities and research works;
- (ii) evaluate the field survey work to assist the scientific work.

4. Officers of the Centre

(1) The following shall be the officers of the Centre:—

- (i) the Chairman;
- (ii) the Vice-Chairman;
- (iii) the members of the Executive Council;
- (iv) the Member Secretary
- (v) the Principal Scientist
- (vi) the Assistant Scientist and
- (vii) such other officers as may be declared by the rules to be officers of the Centre.

(2) Appointment of the Employees:

The Chairman on the recommendation of the Executive Council may appoint the Employees as listed at Annexure I under rules, as may be prescribed.

5. Authorities of the Centre

The following shall be the authorities of the Centre:—

- (i.) the Executive Council;
- (ii.) such other authorities as may be declared by the rules to be the authorities of the Centre.

6. Executive Council

- (1) The Executive Council shall act as secretariat to the Centre.
- (2) The Executive Council shall communicate to the Chairman through the Member Secretary, such action, if any, it proposes to take or has been taken upon the result of such inspection or inquiry.

7. Power and function of the Executive Council

- (1) The Executive Council shall be the principal executive body of the Centre .
- (2) The Executive Council shall furnish to the State Government such returns or other information with respect to its property or activities as the State Government may, from time to time, require.
- (3) Executive Council may make or amend the rules suitably.

8. Quorum for meeting of the Executive Council

- 1. Seven Members of the Executive Council shall form quorum for a meeting of the Executive Council.
- 2. The Executive Council may, pass a resolution by a majority of not less than two-thirds of the members present.
- 3. Emergency meeting can be held by circulating short notice as and when require.

9. Power to make the Rules

The Executive Council may make rules for conduct of business of the Centre which may provide for all or any of the following matters, namely:—

- (i) the constitution, powers and functions of authorities and other bodies of the Centre, as may be constituted from time to time;
- (ii) the appointment and continuance in office of the members of the said authorities and bodies, the filling up of vacancies of members, and all other matters relating to those authorities and other bodies for which it may be necessary or desirable to provide;
- (iii) the appointment, powers and duties of the officers of the Centre and their emoluments;
- (iv) the appointment of working staff for a specific period for undertaking a joint project;
- (v) the establishment of Centres, Specialized Laboratories and other Committees;
- (vi) the creation, composition and functions of any other body which is considered necessary for improvement of Centre.

10. Power to amend the rule

The Executive Council may amend, vary or repeal the rules at any time as may be considered expedient.

11. Power to remove the difficulty

- (i) If any difficulty arises in giving effect to the provisions of the rule, the state Government may, by order published in the Official Gazette, remove such difficulty.
- (ii) It shall be lawful for the Executive Council to settle and determine all matters interpretation of these presents as well as matters of difficulty, doubts or disputes and all questions arising in the course or incidental to the administration, management and execution of these Centre and powers of these presents and any such settlement or determination (although the question involved may not have been actually raised) shall be valid, binding and conclusive and shall not be objected to or re-opened upon any ground whatsoever.

12 Annual Report

- (1) The annual report of the Centre shall be prepared under the direction of the Executive Council, which shall include, among other matters, the steps taken by the Centre towards the fulfillment of its objects and shall be submitted the report in its annual meeting.
- (2) A copy of the annual report, as prepared under para (1) above, shall also be submitted to the State Government.
- (3) The annual accounts and balance-sheet of the Centre shall be prepared under the directions of the Executive Council and shall, once at least every year and at intervals of not more than fifteen months, be audited by such persons as he may authorize in this behalf.
- (4) A copy of the annual accounts together with the audit report thereon shall be submitted to the Chairman .
- (5) Any observations made by the Chairman on the annual accounts shall be brought to the notice of the Executive Council and the observations of the Executive Council, if any, shall, after being considered by the Executive Council, be submitted to the Chairman.
- (6) The audited annual accounts after having been laid before the Executive Council shall be published for general information.
- (7) The Executive Council shall furnish to the State Government such returns or other information with respect to its property or activities as the State Government may, from time to time, require.

13. Mode of Bank Accounts of the Council

- (1) The funds of the Centre for the normal functions shall be maintained in any Bank and the Principal Scientist shall draw cheques upto Rs. 50,000/- Anything exceeding Rs.50,000/- and not exceeding Rs 3.00 Lakhs shall be signed by Principal Scientist and Vice-Chairman after obtaining the approval from the Chairman of Executive Council.
- (2) No fund shall be earmarked for making provision for a dependent of a deceased.

14 Transaction of day-to-day Business and Financial Powers

The Member Secretary shall have administrative powers as may be prescribed by the Executive Committee.

15 Annual Accounts

- (i) The annual accounts and balance-sheet of the Centre shall be prepared under the directions of the Executive Council and at least once in a year and at intervals of not more than fifteen months, be audited by the Associated Chartered Accountant or by such persons as he may authorize in this behalf.
- (ii) A copy of the annual accounts together with the audit report thereon shall be submitted to the Department of Forests, Environment and Wildlife Management along with the observations of the Executive Council.
- (iii) Any observation made by the Chairman on the annual accounts shall be brought to the notice of the Department.
- (iv) A copy of the annual accounts together with the audit report as submitted to the Chairman shall also be submitted to the State Government.
- (v) The audited annual accounts shall be published in the Official Gazette.
- (vi) the Centre shall maintain the true and correct account of all income, expenditure, assets and liabilities of the Centre. The cash and bank transactions and all the other financial transactions of the Centre shall be recorded and maintained in accordance with the normally accepted accounting principles.

16 AUDIT:

Auditing of the Accounts shall be done by a registered Chartered Accountant approved by Finance, Revenue and Expenditure Department or by office of the Accountant General of the state.

17. Removal of the employee of Centre

- (1) Where there is an allegation of misconduct, the employees of the Centre may be placed under suspension and shall forthwith be reported to the Executive Council the circumstance in which the order was made:
Provided that the Executive Council may, if it is of the opinion that the circumstances of the suspension of the employee so warrants, may revoke such orders.
- (2) The Executive Council shall not remove any employee except for a good reason and after giving reasonable opportunity of being heard and with three month's notice or by paying three months salary in lieu thereof.
- (3) No employee shall be removed under clause (2) unless he has been given a reasonable opportunity of showing cause for action proposed to be taken against him.
- (4) Removal of the employee shall take effect from the date on which the order of removal is made.

Provided that where employee is under suspension at the time of removal such removal shall take effect from the date on which he was placed, under suspension .

18 Power of Delegation

Subject to the provisions of the rules, any officer or authority of the Centre may delegate his or its powers to any other officer or authority or person under his or its respective control and subject to the condition that overall responsibility for the exercise of the powers so delegated shall continue to vest in the officer or authority delegating such powers.

ORDER AND IN THE NAME OF THE GOVERNOR.

**T.T.DORJI, IAS
CHIEF SECRETARY
File NO. 267/SMPB/NTFP**

S.G.P.G. -391/ Gazette /100 Nos./Dt:- 9.10.2009.